

### **REMARKS/ARGUMENTS**

This Supplemental Amendment is submitted in further response to the Office Action of September 9, 2003, and supplements the claim amendments and remarks set forth in the previously-filed Amendment of December 9, 2003.

Reconsideration of the present application, as herein and heretofore amended, is respectfully requested.

The Office Action of September 9, 2003 set forth nonsubstantive language-based objections to independent claims 1 and 8, and prior art based rejections of all of the claims under Sections 102(e) and 103 of the statute. In the Amendment filed December 9, 2003 in response to the Office Action of September 9, 2003, applicants sought to amend the claims - and most particularly independent claims 1 and 8 - solely to respond to the Examiner's language-based objection and, at the same time, to more generally improve the clarity and readability of the claims to facilitate the Examiner's further consideration of the patentability of applicants' claimed invention. However, upon further review of the claim amendments proffered in the Amendment of December 9, 2003, subsequent to its filing, applicants have now realized that those amendments to independent claims 1 and 8 inadvertently changed the apparent scope and meaning of the claims in a way that was neither intended nor necessary to overcome or otherwise respond to the prior art based rejections set forth in the Office Action of September 9, 2003. Indeed, as discussed in the Remarks section of the Amendment of December 9, 2003, and as further supplemented hereinbelow, it is not believed that any substantive amendments of the claims are needed to patentably distinguish the claimed invention over the prior art that the Examiner has thus far applied against the claims and/or which is otherwise known to applicants.

By this Supplemental Amendment, therefore, applicants have further amended the claims to, first, return independent claims 1 and 8 to their original, "as filed" form and, second, to improve their clarity and readability in a way which is additionally responsive to the Examiner's language-based objections in the Office Action of September 9, 2003. In view of the tortuous course of changes to the claims that this process has necessitated, applicants have for convenience (and to further assist the Examiner's review) cancelled all of the heretofore pending claims 1 to 18 (i.e. originally-filed claims 1 to 12 and dependent claims 13 to 18 which were added in the Amendment of December 9, 2003) and replaced all of them with newly-presented claims 19 to 35.

New independent claim 19 is identical to originally-filed independent claim 1, with the following two exceptions. First, the paragraph identifiers "a).", "b).", and "c).", have been added for improved readability. And, second, paragraph "c)." has been reformatted and subpart identifiers "(i)" and "(ii)" have been added for clarity to thereby more clearly delineate the two members of the recited Markush group in response to the Examiner's language-based objections in the Office Action of September 9, 2003. Thus, paragraph "c)." of claim 19 recites, in Markush format, a means for exchanging subscriber data *either* (i) "between the telecommunication network elements of the first and second networks handling subscriber data" or (ii) "between the telecommunication network elements handling subscriber data and the subscriber database".

New dependent claims 20 to 25 are identical to respective originally-filed dependent claims 2 to 7, except that the dependencies have been appropriately adjusted and, in each of claims 20 to 23, the new paragraph identifier "d)." or "e)." has been added.

New independent claim 26 is identical to originally-filed independent claim 8, except that (as in independent claim 19) the paragraph identifiers "a).", "b).", and "c)." have been added for

improved readability and paragraph "c)." has been reformatted and subpart identifiers "(i)" and "(ii)" have been added for clarity to thereby more clearly delineate the two members of the recited Markush group in response to the Examiner's language-based objections in the Office Action of September 9, 2003.

New dependent claims 27 to 30 are identical to respective originally-filed dependents claim 9 to 12, except that the dependencies have been appropriately adjusted and, in each of these claims, the new paragraph identifier "d)." or "e)." has been added.

Finally, new dependent claims 31 to 35 correspond to respective dependent claims 13 to 17 which were newly added in the Amendment of December 9, 2003.

No new matter has been added in the presentation herein of new claims 19 to 35.

With regard to the arguments and discussion set forth in the Remarks section of Applicants' December 9 Amendment responding to the 35 U.S.C. 102(e) rejection of claims 1-4 and 6-11 as allegedly anticipated by US Patent No. 6,163,809 to Buckley ("Buckley"), Applicants hereby reiterate and repeat the same, and further request that the following additional remarks be also considered.

Buckley discloses a method for transferring and preserving delivery status notification information that is sent from a first network into a second network.

The operative steps of the method according to Buckley involve receiving an e-mail message from the first network, the message having delivery status information associated therewith that identifies a return notification to be sent to the sender upon the occurrence of an event relating to delivery status of the message; mapping the received delivery status notification information into the closest delivery status notification option supported by the second network and storing the mapped delivery status notification information in order to permit the second

network to generate the return notification upon the occurrence of an event in the second network; and preserving the original status notification information received from the first network by encoding it at the second network and associating it in a way that permits the encoded delivery status notification to be transparently transferred along with the associated message without causing the second network to act on the encoded delivery status notification information.

The method of the present invention, as now recited in claim 26 of the present application, is distinctly different from that of Buckley in that it actually stores subscriber data information relating to subscribers of the first and second networks, not merely message delivery status notification information as occurs in Buckley, with the storage according to the method of claim 26 being performed in a single logical subscriber database. Buckley does not disclose or suggest, nor do the claims of Buckley recite, such a step of storing subscriber data of the first and second networks in a single logical subscriber database. Buckley does not involve the storage of basic subscriber data of the subscribers of the first and second networks (where such data includes subscriber location and service data for each subscriber, with the data for each network being encoded in an appropriate manner according to the system architecture for each network) in a single logical subscriber database (which may utilize elements of each of the respective networks), but instead merely maps the received message delivery status notification information from one network to the other and stores the mapped information, **not** basic subscriber data. In the method of Buckley, the original delivery status notification information received from the first network is preserved by encoding it "in a fashion" (presumably such as by encoding it in an appropriate form suitable to the architecture of the second network) to enable the message delivery status notification information to be transparently transferred together with the original

message to the recipient, at the second network, without causing the second network to act on the encoded delivery status notification information (presumably, such as by rejecting the original message from the first network as being undeliverable to the same subscriber on the second network). Therefore, the method of the present invention, as recited in method claim 26 and claims 27 to 35 dependent therefrom, is completely different from and patentably distinguishable over the method disclosed by Buckley.

Neither does Buckley contain any teaching or suggestion of an apparatus containing elements or functionality corresponding to that recited in applicant's apparatus claims 19 to 25. Applicants accordingly submit that apparatus claims 19 to 25 are likewise not anticipated by Buckley, as Buckley does not disclose or suggest an apparatus having the claimed elements of the inventive system or capable of performing the functionality of applicants' claimed apparatus.

With respect to the Examiner's further rejection set forth in the Office Action of September 9, 2003, and rebutted by the arguments presented in the Amendment mailed December 9, 2003, relating to the rejection of claims 5 and 12 of the present application under 35 U.S.C. 103(a) as allegedly rendered obvious by Buckley in view of U.S. Patent No. 5,761,662 to Dasan ("Dasan"), Applicants hereby also reiterate and repeat therein previously presented arguments distinguishing the claimed apparatus and method, and additionally add the following comments.

The Examiner has asserted that Buckley discloses all of the limitations of original claims 5 and 12 (now 23 and 30) of the present application, except for means for forming a service profile for a subscriber of one of the networks, which the Examiner asserts is disclosed in Dasan, so that those claims are obvious in view of that combination of references. Applicants respectfully disagree, at least because, as discussed above, Buckley does not disclose or suggest

either the claimed system or method of the present application even with the addition of the Dasan teachings. Moreover, even if, argues, Dasan teaches the forming of a subscriber service profile of the same type and in the same manner as in to the present invention, which Applicants maintain that Dasan does not, combining of the disclosures of Buckley and Dasan is not taught or suggested by either of the references, and they themselves provide no motivation to a person of ordinary skill in the art at the time that the present invention was made to do so. Furthermore, even if such a combination were to be properly made, the result would in any case be a system and/or method different from those of the present application as now recited in claims 19-35. Therefore, the subject matter of claims 23 and 30 is not rendered obvious by Buckley and Dasan, either individually or in the Examiner's proffered combination.

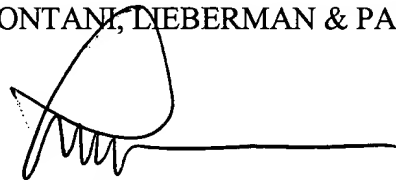
Applicants therefore submit that the system and method of the present application, as recited by newly-presented claims 19-35, are neither anticipated nor rendered obvious by Buckley and Dasan, either taken individually or in combination. Applicants further believe that claims 19-35 are in condition for allowance, the early notification of which is earnestly solicited.

This Supplemental Amendment is being submitted within a first month of an extended period for response as measured from the original three month shortened period for response to the Office Action mailed September 9, 2003. Accordingly, a one month extension of the time to respond is hereby requested pursuant to 37 C.F.R. 1.136, and a check in the amount of \$110.00 for the one month extension of time fee is enclosed herewith. It is believed that no other fees or charges are required at this time in connection with the present application; however, if any such fees or charges are deemed necessary at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

A handwritten signature in black ink, appearing to be 'Lance J. Lieberman', written over a horizontal line.

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